

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

**TRUSTEE WRIT** Elizabeth Vitullo, Plaintiff vs.  
Phillip S. Stenger, Def./3rd Party, Plaintiff(s)

MBD Case No. 05MC10116

v.  
Park Avenue Modular Homes, Inc., and  
John S. Vitkevich, Defendant(s)

Citizens Union Savings Bank, Trustee

**SUMMONS TO TRUSTEE**

To the above-named Trustee:

You are hereby summoned and required to file, within 20 days after service of this summons upon you, exclusive of the day of service, a disclosure under oath of what goods effects or credits, if any, of the defendant John V. Vitkevich of 119 Hummock Avenue, Portsmouth, Rhode Island, are in your hands or possession at the time of the service of this summons upon you which may be taken on execution issued upon such judgment, if any, as the plaintiff Phillip S. Stenger, Esq. of Stenger & Stenger PC, 4095 Embassy Drive Grand Rapids, Mich. 49546, whose attorney is Charles A. Lovell, Esq. of Partridge Snow & Hahn LLP, 180 South Main Street, Providence, RI 02903 may recover in an action brought against the said defendant in this Court to the value of \$ \_\_\_\_\_ (the amount authorized). Such goods, effects or credits are hereby attached. If you do not do so, judgment by default will be taken against you and you will be adjudged trustee as alleged.

The complaint or judgment was entered on March 9, 2005 in the U.S. District Court District of Massachusetts. The attachment was approved on March 11, 2005 by Justice William G. Young in the amount of \$ 300,000.00.

If the credits of the said defendant which are in your hands or possession include wages for personal labor or personal services of said defendant, you are hereby notified that an amount not exceeding \$125.00 per week of such wages are exempt from this attachment and you are directed to pay over such exempted amount to said defendant in the same manner and at the same time as each such amount would have been paid if this attachment had not been made.

If the said credits include a pension payable to said defendant which is not otherwise exempt by law from attachment, you are hereby notified that an amount not exceeding \$100.00 for each week which has elapsed since the last preceding payment under such pension was payable to said defendant, and \$100.00 per week hereafter, are exempt from this attachment and you are directed to pay over such exempted amounts to said defendant in the same manner and at the same time as each such amount would have been paid if this attachment had not been made.

If you are a trust company, savings bank, cooperative bank, credit union, national banking association, or any other banking institution doing business in the Commonwealth, and if the credits of the said defendant in your hands include an account or accounts in the name of any natural person, you are hereby notified that pursuant to Massachusetts General Laws, c.246, Section 28A, \$500.00 owned by the said defendant (if a natural person) are exempt from this attachment (a joint account to be treated for this purpose as if each depositor owned one-half of the amount thereof). No business, trust, or organization shall be entitled to this exemption, and no natural person shall be entitled to more than a \$500.00 exemption at any one time.

Dated this 27<sup>th</sup> day of MARCH, 2005

SARAH A. THORNTON  
CLERK OF COURT

By: [Signature]  
Deputy Clerk

(Trustee Writ - MBD.wpr 3/29/2005)

